

# NEWS FROM ED MARKEY

**United States Congress**

**Massachusetts Seventh District**

**FOR IMMEDIATE RELEASE**

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## **YUCCA MOUNTAIN SCIENCE FALSIFIED?**

*Rep. Markey probes reports of falsified data, documentation of nuke waste site*

**Washington, DC:** Representative Edward J. Markey (D-MA), a senior Member of the House Energy and Commerce Committee, the panel which oversees the regulation of nuclear reactors and nuclear waste, today released a letter sent to the Department of Energy (DOE) regarding a press statement issued by the Department indicating that it had evidence that certain employees at the U.S. Geological Survey (USGS) may have falsified their work related to the Department's attempt to obtain a license application to construct a high-level nuclear waste repository at Yucca Mountain in Nevada.

"Falsifying the basis for the approval of the storage site for high-level radioactive waste is a very serious matter," said Rep. Markey. "While it is not likely to surprise anyone in Nevada, the state that must live with the consequences of the Administration's efforts to railroad this radioactive waste decision, the rest of the country should be concerned if the integrity of this process continues to be compromised by blunders, manipulation and outright lies. How can the Department expect anyone to take its license application for the facility seriously at this point?"

The text of the letter Rep. Markey sent to DOE Secretary Samuel Bodman follows.

Dear Mr. Secretary:

I am writing regarding press reports as well as a DOE press release indicating that certain employees of the US Geological Survey (USGS) at the Department of the Interior working on the Yucca Mountain project may have falsified documentation of their work.

According to these reports, DOE said that during preparation for a license application to the Nuclear Regulatory Commission a number of e-mails were discovered, dating back to 1998 and 2000, in which an employee of the U.S. Geological Survey "indicated that he had fabricated documentation of his work," and that the questionable data involved computer modeling for water infiltration and climate.

The falsification of scientific data or analysis is always a serious matter. However, the potential consequences of this particular incident may be unusually far-reaching, as they could undermine the Department's license application for Yucca Mountain, the development of which is already marred by scientific uncertainty, regulatory assumptions that have been invalidated by the courts, conflicts of interest and program mismanagement. Because of the seriousness of this most recent crisis in the Department's efforts to locate a permanent repository for high-level nuclear waste at the Yucca Mountain site, I ask for your prompt responses to the following questions:

- 1) Please provide a list of all data and analyses believed to have been falsified. For each case, please indicate the time it will take for the Department to correct the inaccuracies.
- 2) Please provide a list of all data, analyses and documentation relevant to the Department's license application that depended or was based on the falsified data or analyses. For each such piece of data, analysis or document, please indicate the time it will take for the Department to correct the inaccuracies in its publicly

available materials related to Yucca Mountain and in its license application materials for the Nuclear Regulatory Commission (NRC).

- 3) This incident evidently occurred in the 1998-2000 timeframe. Why did it take so long for all those involved in the program to discover that it had occurred? How exactly did the Department find out? Please provide copies of all documents, emails, memos or other materials that led the Department to reach the conclusion that the data or analyses had been falsified.
- 4) In the Department's press release on this matter, you stated that "the safe handling and disposal of nuclear waste and the sound scientific basis for the repository safety analysis are priorities for this Administration and the Department of Energy. All related decisions have been, and will continue to be, based on sound science." How can you possibly state that all related decisions have been based on sound science before you have even completed your investigation into scientific data and analyses related to the program that you suspect were falsified?
- 5) By how long do you anticipate this will delay the submission of the Department's license application for Yucca Mountain? Will you submit the application prior to the completion of the investigation?